PATENT Case No. 21044P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

R. J. Budhu, et al.

Serial No.

10/505,257

Filed: August 20, 2004

For: AMINOALKYPHOSPHONATES AND

COMPOUNDS AS EDG RECEPTOR AGONISTS

Art Unit: _	
Examiner:	

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- 3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MEŔCK & CO., INC.

W Date 5-4-2005

1.17(p).

months prior to the filing of this Statement.

C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

DELATED ADDITION

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited
by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120
are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

	RELATED APPLICATION			
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE		
If this is inconvenient, additional copies will be submitted upon reques	t.			
6. In accordance with 37 C.F.R. 1.97, (check one)				
the attached information is filed within three months of the filing da	ite of the captioned case.			
the attached information is filed more than three months after the formation on the merits.	îling date but prior to the r	mailing of a first		
the attached information is being filed more than three months after Office Action on the merits, but before the mailing date of a Final A authorization is therefore given to charge Deposit Account No. 13-	Action or Notice of Allowar	nce. The enclosed		

the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three

the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37

Respectfully submitted,

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(732)594- <u>0182</u>	
Date: May 4, 2005	

JESTITUE DIO SEOSA (08-03), Information Disclosure Statement by Applicant

S	ubstitute for form 1449A/PTC				COLETE IF KNOWN	
I	NFORMATIO	N DIS	CLOSURE	Application Number	10/505,257	
S	TATEMENT I	RVAD	DI ICANT	Filing Date	February 27, 2003	
	STATEMENT BY APPLICANT			First Named Inventor	Budhu, et al.	
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(use as many sheets as necessary)			ecessary)	Examiner Name		
Sheet	1	of	2	Attorney Docket Number	21044P	

U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.	U.S. Patent Docume	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
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	FOREIGN PATENT DOCUMENTS								
Examiner Cite			Foreign Patent Documen	t		Date of Publication of			
Initials*	Cite No.	Office	Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY			
	AA		WO 98/40055		Queen's University at Kingston	09/17/1988			
	ВВ		WO 97/25315		Sanofi	07/17/1997			
	CC		EP 778,263		Yoshitomi Pharmaceutical Industries	11/06/1997			
	DD		EP 181,833		Ciba-Geigy, Ag	05/21/1986			
	EE		EP 467,856		Nippon Zoki Pharmaceutical	01/22/1992			
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	-								

Examiner Signature Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE				COLETE IF KNOWN		
				Application Number	10/505,257	
S	TATEMENT BY	ΑĐ	PI ICANT	Filing Date	February 27, 2003	
STATEMENT BI ATTECANT			LICANI	First Named Inventor	Budhu, et al.	
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(use as many sheets as necessary)				Examiner Name		
Sheet	2	of	2	Attorney Docket Number	21044P	

	NON PATENT LITERATURE DOCUMENTS							
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.						
	A	Chemical Abstract, Database Accession No. RN 333429-89-3						
	В	Chemcial Abstract, Database Accession No. RN 383373-17-9						
	С	Chemical Abstract, Database Accession No. RN 372144-19-9						
	D	Chemical Abstract, Database Accession No. RN 330645-19-7						
	E	Chemical Abstract, Database Accession No. RN 339345-94-7						
	F	Child, R.G., et al ARZNEIM - Forsch, Vol. 30, No. 1, pp. 695-702, 1980						
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Examiner Signature	Date Considered	

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.